IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No. 61449-M of 2006

DATE OF DECISION: NOVEMBER 27, 2006

Baldev Singh and others

...PETITIONERS

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Ashish Grover, Advocate, for the petitioners.
Mr.N.S.Gill, AAG, Punjab.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No.476 dated 11.9.2006 registered under Sections 452/323/34 IPC at Police Station Kotwali Bathinda, Distt.Bathinda, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that the only non-bailable offence in this case is under Section 452 IPC and even the same is not made out from the facts of the case. Counsel further contends that in terms of the interim order dated October 10, 2006, the petitioners have joined the investigation. Counsel for the respondent-State does not dispute this fact and further states that the petitioners are no more required for further investigation.

In view of the above, the interim order dated October 10, 2006 is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. Thereafter except for material change in the circumstances, the petitioners shall be entitled for the grant of regular bail by the trial Court on the terms and conditions to be imposed by the court.

Disposed of accordingly.

November 27, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE